

AN ORDINANCE

Councilmember C. T. Martin

00-0-1288

An Ordinance as **amended by the Public Safety Committee** to amend Chapter 78, Article III, **Fire Prevention and Fire Safety Standards** of the Code of Ordinances of the City of Atlanta by adding a new subsection so as to require that owners of abandoned commercial or industrial buildings submit certain information to the Fire Department, upon abandonment; to require the Fire Department to keep a log of such buildings, along with their contents, previous use, and floor plan; and for other purposes

WHEREAS, in recent years there has been a proliferation of abandoned structures in America's inner cities; and

WHEREAS, such buildings are unsightly and unsafe, as well as being a threat to the health and welfare of citizens; and

WHEREAS, these buildings especially present a threat to firefighters when it becomes necessary to fight fires, especially when the contents of the building is unknown; and

WHEREAS, it has been found that these buildings and other structures and parts of compartmentalized buildings and structures in the city of all zoning classifications which are vacant create a condition whereby such buildings and other structures are subject to an unauthorized entry. It is further found that when such buildings and other structures are subject to an unauthorized entry, they become a breeding ground for victimless criminal activity, such as, but not limited to, intemperate use of alcoholic beverages and use of drugs, thus leading to incidences of destruction of such buildings and other structures by fire and also creating health and sanitation hazards; and

WHEREAS, having a thorough knowledge of such buildings, their Contents and their previous use can greatly assist the Fire Department in their firefighting techniques that could be potentially lifesaving.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

Section 1: That Article III, Chapter 78 of the Code of Ordinances of the City of Atlanta be amended so as to create a new subsection to be entitled **Notification of Vacant Buildings**, which shall read as follows:

"Sec. 78-68 Notification of Vacant Buildings

Definitions:

Vacancy, as used in this section, shall be rebuttably presumed to occur in any structure or building when such structure or building has no visible signs of human habitation, as opposed to occasional human use by non-owners and/or non-tenants, for a period of 15 continuous calendar days;

This definition of vacancy shall not preclude any judge from finding that any such building or structure is vacant under any other legally acceptable concept of vacancy.

Upon a building that has previously been used for commercial or industrial purposes becoming vacant, the owner shall, **within ten (10) days**, notify the Fire Chief of the City of Atlanta of the following:

- The building's last known use;
- current contents;
- floor plan and any unique features;
- including, but not limited to, holes in the floor or roof;
- unsafe stairways, and/or weakened structures

The Fire Chief shall cause to be developed and maintained, a computerized log, by Fire Battallion, of all such information.

Section 2: That the Fire Department notify owners of all buildings whose primary use is commercial or industrial of this requirement.

Section 3: Failure of the owner to comply with this section shall result in a fine not to exceed one thousand dollars.

Section 4: That all ordinances and parts of ordinances in conflict are hereby repealed

RCS# 3298
11/19/01
5:22 PM

Atlanta City Council

Regular Session

MULTIPLE

Public Safety Ordinances #1 thru #17
Execept #8, #11, 18; Resol #1 through #2
FILE

#10) 00-0-1288

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 3

| | | | |
|-----------|-----------|-----------|-------------|
| Y McCarty | B Dorsey | Y Moore | Y Thomas |
| B Starnes | Y Woolard | Y Martin | Y Emmons |
| Y Bond | B Morris | Y Maddox | Y Alexander |
| Y Winslow | Y Muller | Y Boazman | NV Pitts |

MULTIPLE

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(Do Not Write Above This Line)

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FILED BY
CITY COUNCIL

NOV 19 2001

- ☐ CONSENT REFER
☐ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER
☒ PERSONAL PAPER REFER

Date Referred

8/7/00

Referred To: Public Safety & Legal Affairs

Date Referred

Referred To:

Date Referred

Referred To:

Committee

Date

Chair

Referred to

P.S. & L.A.

Date

8/13/00

Chair

C. T. Martin

Action:

Fav, Adv, Hold (see rev. side)

Other:

9/12/00

Members

9/26/00

10/16/00

11/14/00

11/28/00

12/12/00

Refer To

P.S. & L.A.

Date

1/16/01

Chair

P.S. & L.A.

Action:

Fav, Adv, Hold (see rev. side)

Other:

2/30/01

Members

2/13/01

2/27/01

3/13/01

3/27/01

4/12/01

Refer To

First Reading

FINAL COUNCIL ACTION

☐ 2nd ☐ 1st & 2nd ☐ 3rd

Readings

☐ Consent ☐ V Vote ☐ RC Vote

CERTIFIED

NOV 19 2001

ATLANTA CITY COUNCIL PRESIDENT

CERTIFIED

NOV 19 2001

MAYOR'S ACTION